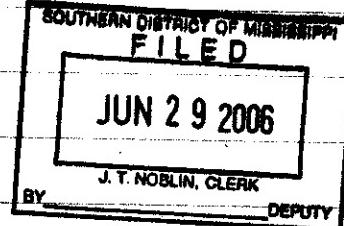


In the United States District Court for
The Southern District of Mississippi
Southern Division

GERALD B. HEBERT



V. NO. 1:06-cv-461-G-RRW

GEORGE PAYNE et.al

Brief in support of Motion to compel Discovery

This is a §1983 action filed by a prisoner at Wilkerson County Correctional Facility seeking damages, preliminary injunction, temporary restraining order, injunctive relief, punitive damages and relief for, the denial of procedural due process, equal protection and the denial of medical care.

Statement of Facts

On MAY 24TH, 2006, The plaintiff filed a request for production of documents and interrogatories pursuant to the Rules 34(b) and 37(a) of Fed.R.Civ.P. as set forth

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in the plaintiff's affidavit. The defendants failed to respond within 30 days and did not make any effort to obtain an extension from the court or by contacting the plaintiff. Defendant's ~~counsel~~ Attorney has not responded to the plaintiff efforts to resolve the dispute.

This 26TH day of June, 2006

Gerald B. Heber
Plaintiff